

Wishneff
36824-090704



ROANOKE CITY COUNCIL
REGULAR SESSION

SEPTEMBER 7, 2004
9:00 A.M.

ROOM 159

AGENDA

Call to Order--Roll Call. (Mayor Harris arrived late.)

A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview applicants for vacancies on the Roanoke Redevelopment and Housing Authority, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Approved (6-0)
File #110-132

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

Approved (6-0)
File #132

Items listed on the 2:00 p.m. Council docket requiring discussion/clarification, and additions/deletions to the 2:00 p.m. agenda. (15 minutes)

Topics for discussion by the Mayor and Members of Council. (15 minutes)

- Topics for discussion at the joint meeting of Council and the Roanoke Redevelopment and Housing Authority on Thursday, October 7, 2004, at 12:00 noon.
- Topics for discussion at the joint meeting of Council and the School Board on Monday, November 1, 2004, at 9:00 a.m.

Mayor Harris entered the meeting.

Briefings:

- | | | |
|---|---|------------|
| • First Street Bridge | – | 15 minutes |
| • Changes to the Tax Abatement Program | – | 30 minutes |
| • HUD Policy Update | – | 15 minutes |
| • Issuance of Bonds (Director of Finance) | – | 15 minutes |

THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 12:00 NOON IN ROOM 159 FOR A MEETING WITH CONGRESSMAN BOB GOODLATTE.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***SEPTEMBER 7, 2004
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call. (All Council Members were present.)

The Invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, September 9, 2004, at 7:00 p.m., and Saturday, September 11, 2004, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM. CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

A Resolution memorializing the late (Mrs.) Christine Lea.

**Adopted Resolution No. 36824-090704. (6-0 – Council Member Lea abstained from voting.)
File #367**

Recognition of City employees returning from active duty as Army National Guard, Air Force Air National Guard, and Army, Navy, Air Force and Marine Corps Reservists who served their country during "Operation Iraqi Freedom".

Adopted Resolution No. 36825-090704. (7-0)
File #80-184

Proclamation declaring Thursday, September 16, 2004 as Friends of the Library Day.

File #3-323

Presentation by Vice Mayor Beverly T. Fitzpatrick, Jr., of a proclamation declaring September 7, 2004, as C. Nelson Harris Day in recognition of the Mayor's 40th birthday on August 21, 2004.

File #3-132

3. CONSENT AGENDA

Approved (7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the special meeting of Council held on Tuesday, July 6, 2004; the organizational meeting and the regular meeting of Council held on Tuesday, July 6, 2004, recessed until Friday, July 16, 2004, and recessed until Monday, July 19, 2004; and the regular meetings of Council held on Monday, July 19, 2004, and Monday, August 2, 2004.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

- C-2 Minutes of the Audit Committee meeting held on Monday, August 16, 2004.

**RECOMMENDED ACTION: Received and filed.
File #10-110**

- C-3 Minutes of the Greater Roanoke Transit Company Audit Committee meeting held on Monday, August 16, 2004.

**RECOMMENDED ACTION: Received and filed.
File #55-110**

- C-4 A communication from the City Manager requesting that Council schedule a public hearing for Monday, September 20, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider an adjustment to the City of Roanoke Fiscal Year 2004-2005 Budget.

**RECOMMENDED ACTION: Concur in the request.
File #60-132**

- C-5 A communication from Kenneth S. Cronin, Secretary, Personnel and Employment Practices Commission, advising of the resignation of Tamara S. Asher as a member of the Personnel and Employment Practices Commission.

**RECOMMENDED ACTION: Accept resignation and receive and
file communication.
File #110-202**

- C-6 A communication from Herbert C. Berding, Jr., tendering his resignation as a member of the Flood Plain Committee.

**RECOMMENDED ACTION: Accept resignation and receive and
file communication.
File #110-237**

- C-7 Qualification of the following persons:

C. Nelson Harris, Brenda L. McDaniel and William D. Bestpitch to fill unexpired terms of office on the Roanoke Valley Allegheny Regional Commission, ending June 30, 2006;

Sharon Hicks as a member of the Youth Services Citizen Board, for a term ending May 31, 2007;

Herbert D. McBride as a member of the Roanoke Public Library Board, for a term ending June 30, 2007; and

Christene A. Montgomery and Sharon L. Stinnette to fill unexpired terms of office on the Parks and Recreation Advisory Board, ending March 31, 2005.

**RECOMMENDED ACTION: Received and filed.
File #67-110-304-323-326**

REGULAR AGENDA

4. PUBLIC HEARINGS:

- a. Approval of the City's issuance of general obligation bond or bonds, in an amount estimated not to exceed \$1,300,000.00 for the purpose of financing certain capital improvements for Lincoln Terrace Elementary School. Kenneth F. Mundy, Jr., Executive Director of Fiscal Services, Roanoke City Schools, Spokesperson.

**No action was taken.
File #53-467**

5. PETITIONS AND COMMUNICATIONS:

- a. Recommendation from the Commonwealth's Attorney in connection with acceptance of Victim/Witness grant funds, in the amount of \$107,201.00; and a communication from the City Manager concurring in the recommendation.

**Adopted Budget Ordinance No. 36826-090704 and
Resolution No. 36827-090704. (7-0)
File #60-133-236**

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of a Rescue Squad Assistance Fund Grant from the Virginia Department of Health, Office of Emergency Medical Services, in the amount of \$40,982.00; and appropriation of funds.

**Adopted Budget Ordinance No. 36828-090704 and Resolution No. 36829-090704. (7-0)
File #60-236-354**

2. Acceptance of Juvenile Accountability Block Grant One-Time Special Funding Initiative Funds from the Virginia Department of Criminal Justice Services, in the amount of \$8,333.00; and appropriation of funds.

**Adopted Budget Ordinance No. 36830-090704 and Resolution No. 36831-090704. (7-0)
File #5-60-236**

3. Acceptance of a Local Law Enforcement Block Grant from the Bureau of Justice Assistance, in the amount of \$51,017.00; and appropriation of funds.

**Adopted Budget Ordinance No. 36832-090704 and Resolution No. 36833-090704. (7-0)
File #5-60-236**

4. Appropriation of \$383,810.00 in connection with the Western Virginia Workforce Development Board Workforce Investment Act programs.

**Adopted Budget Ordinance No. 36834-090704 (7-0)
File #60-236-246**

5. Acceptance of a sub-award from Virginia Commonwealth University, in the amount of \$401,691.00, in connection with the Virginia Institute for Social Services Training Activities Program (VISSTA).

**Adopted Budget Ordinance No. 36835-090704 and
Resolution No. 36836-090704. (7-0)
File #60-72**

6. Adoption of the Solid Waste Management Plan and authorization for submittal to the Virginia Department of Environmental Quality.

**Adopted Resolution No. 36837-090704. (7-0)
File #144**

7. Adoption of a resolution requesting the Virginia Department of Transportation to establish an urban system highway project for improvements to the First Street Bridge, for inclusion in the State's Six-Year Improvement Program.

Withdrawn by the City Manager.

8. Execution of a 2004-2005 CDBG/HOME Agreement with the Roanoke Redevelopment and Housing Authority to conduct housing activities approved in the Consolidated Plan.

**Adopted Resolution No. 36838-090704. (7-0)
File #178-236**

9. Execution of an agreement with Norfolk Southern Railway Company, in connection with the proposed reconstruction of the First Street Bridge.

**Adopted Ordinance No. 36839-090704. (7-0)
File #102-223**

10. Amendment of the City Code to combine the Human Resources Advisory Board and the Human Services Committee.

**Adopted Ordinance No. 36840-090704. (7-0)
File #24-318**

b. DIRECTOR OF FINANCE:

1. Financial Report for the month of July 2004.

**Received and filed.
File #10**

7. REPORTS OF COMMITTEES:

- a. A communication from the Roanoke City School Board requesting appropriation of \$1,139,814.00 from the 2004-2005 Capital Maintenance and Equipment Replacement Fund; and a report of the Director of Finance recommending that Council concur in the request.

**Adopted Budget Ordinance No. 36841-090704. (7-0)
File #60-467**

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. A resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Session and meetings of the Urban Section of the Virginia Municipal League and designating a Staff Assistant for any meetings of the Urban Section, in connection with the Annual Virginia Municipal League Conference to be held on October 3 - 5, 2004, in Alexandria, Virginia.

**Adopted Resolution No. 36842-090704. (7-0)
File #17**

- b. A Resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities on Saturday, December 4, 2004, in Indianapolis, Indiana.

**Adopted Resolution No. 36843-090704. (7-0)
File #228**

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Cutler commended the City's Department of Parks and Recreation in connection with a recent newspaper tabloid that was included in *The Roanoke Times*, and called specific attention to an article regarding the City's Urban Forestry Program, an article entitled, "Roanoke in Bloom" which lists plants that will thrive in the City of Roanoke, and an article on Roanoke Valley watersheds.

File #67-132

Council Member Dowe recognized former Council Members William Bestpitch, William Carder and Linda Wyatt who served on City Council at the time that Council voted to award full pay to City employees called to active military duty.

File #132-184

Vice-Mayor Fitzpatrick commended all City employees who are responsible for maintaining entrances to the City. He called attention to the need to erect signs at entrances to the City indicating that the City of Roanoke is a five time All America City and the City's new branding logo should be displayed.

File #132-184

Council Member Lea extended an invitation to Roanoke's citizens to attend the Fifth Western Virginia Education Classic Football Game to be held on Saturday, September 11, 2004, at Victory Stadium at which time public safety personnel will be recognized as well as a local citizen who lost his life during the bombing of the Pentagon on September 11, 2001. He expressed appreciation to City staff for their assistance in connection with the event.

File #388

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.
- c. Expiration of the two-year terms of office of William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Troy A. Harmon, Municipal Auditor; and Mary F. Parker, City Clerk, on September 30, 2004.

Reappointed for terms of two years, each, ending September 30, 2006.

File #1-38-83-280

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. James R. Justice, 3659 Peakwood Drive, S. W., spoke in connection the process regarding the Wilton development off Peakwood Drive, S. W.

File #66-178-252

Mr. E. Duane Howard, 508 Walnut Avenue, S. W., expressed concern that no public hearing has been held on the First Street Bridge project which could cost in excess of \$2 million.

File #102

Mr. Robert E. Gravely, 729 Loudon Avenue, N. W., advised that the focus of Council should be on the rights of the citizens of Roanoke, an inequitable pay scale among City employees, educating welfare recipients which will lead to a life of self-sufficiency, and caring for Roanoke's elderly population.

File #18-184

Ms. Helen E. Davis, 35 Patton Avenue, N. E., spoke in support of making the First Street Bridge a pedestrian bridge. She spoke against implementation of any program that honors local Roanoke citizens in conjunction with Dr. Martin Luther King, Jr., because the focus should be solely on naming the bridge in memory of Dr. King. She requested that citizens be given at least one minute to make remarks at 9:00 a.m. Council work sessions.

File #102

12. CITY MANAGER COMMENTS:

The City Manager welcomed Rolanda Russell, Assistant City Manager for Community Development, who has been on medical leave.

The City Manager advised that the City's new website was activated on Saturday, September 4, 2004, and contains new and improved features.

The City Manager advised that the City of Roanoke will be recognized at the Annual Conference of the Virginia Municipal League on October 3-5 in Alexander, Virginia, for the Southeast By Design program.

File #17-184-301

CERTIFICATION OF CLOSED SESSION. (7-0)

The following persons were appointed/reappointed to certain authorities, boards, commissions and committees:

**Roanoke Public Library Board
File #15-110-323**

**Lauren Saunders and Owen
C. Schultz for terms ending
June 30, 2007.**

**Youth Services Citizen Board
File #15-110-304**

**JoAnn Edmunds and
Sherman P. Lea, Jr., for terms
ending May 31, 2006.**

**Parks and Recreation Advisory
Board
File #15-67-110**

**Roger B. Holnback for a term
ending March 31, 2007.**

**Industrial Development
Authority
File #15-110-207**

**Charles E. Hunter, III, for a
term ending October 20,
2008.**

**Blue Ridge Soil and
Water Conservation
District, Board of Directors
File #110-251**

**Broaddus C. Fitzpatrick and
John P. Bradshaw, Jr.**

**Roanoke Neighborhood
Advocates
File #15-110-448**

**Althea Pilkington for a term
ending June 30, 2006.**

**Roanoke Redevelopment and
Housing Authority
File #15-110-178**

**Anita Powell for a term
ending August 31, 2008.**